

have left any, if a bill is filed against such person or persons, to compel a specific performance of such contract or agreement, the chancellor may, without the appearance of the absent parties, at discretion, either take the bill pro confesso, or issue a commission for taking depositions, which commission may be executed ex parte, on the non-appearance of the defendant or defendants in person, or by solicitor or agent, and on the taking pro confesso, or return of the commission, the chancellor may proceed to such decree as the justice and equity of the case may require; *Provided*, that the complainant or petitioner shall give at least six months notice of his or her application, in such newspapers as the chancellor shall direct; and every such decree shall have the same operation, effect and consequences, as a decree in virtue of the act aforesaid against persons residing in the state of Maryland who had appeared, and such decree passed in the said court; *Provided always*, that if any person or persons against whom any decree shall be made by virtue of this act, his or their heirs, devisees or representatives, or any person claiming under them, shall appear in the court of chancery at any time, not exceeding eighteen calendar months from the time of making such decree, and request a review of the same, the chancellor, upon a bill filed by such person or persons, shall proceed to an examination of the matters in dispute, and to a final decree according to the equity of the case, in the same manner as if the said person or persons, or those under whom they claim, had originally appeared before him; *And provided also*, that such defendant or defendants may, at any time before a decree shall have been passed, appear in court, and be admitted to defend the cause, on filing a good and sufficient answer, plea or demurrer, to the bill.

taking de-  
positions,  
&c.

Provision.

#### NOVEMBER, 1805.—CHAPTER 10.

AN ACT to vest temporary powers in the several Clerks in the several Counties of this State.

This act vested in the clerks temporary powers, until the new judicial system should be organized.

#### CHAPTER 16.

AN ACT to confirm an Act,\* entitled, an Act to provide for the Trial of Facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as relate to the general court and court of appeals.

\*1804, ch.  
55.

WHEREAS at a session of assembly, begun and held at the city of Annapolis on the fifth day of November, in the year of our Lord one thousand eight hundred and four, an act of assembly, entitled, an act to provide for the trial of facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as

Preamble.